

ORDINANCE NO. 3804

AN ORDINANCE OF THE MAYOR AND CITY COUNCIL OF CUMBERLAND, MARYLAND, ENTITLED "AN ORDINANCE TO AUTHORIZE THE EXECUTION OF A DEED FOR THE PURPOSE OF CONVEYING TO CUMBERLAND NEIGHBORHOOD HOUSING SERVICES, INC. CERTAIN SURPLUS PROPERTY CONSISTING OF 25 SEPARATE PARCELS OF REAL ESTATE ON BALTIMORE AVENUE AND WAVERLY TERRACE IN THE CITY OF CUMBERLAND, ALLEGANY COUNTY, MARYLAND."

WHEREAS, the City owns the following parcels of real property located on Baltimore Avenue and Waverly Terrace, in the City of Cumberland, Allegany County, Maryland (collectively, hereinafter referred to as the "Parcels"):

Map	Parcel	Tax ID #	Liber / Folio	Description
105	0020	22-007254	640/471	400-402 Waverly Terrace
105	0194	22-012940	2050/077	345 Baltimore Avenue
105	0193	22-007513	2050/077	343 Baltimore Avenue
105	0020	22-007262	647/088	406 N. Waverly Terrace
105	0026	22-009931	576/155	314 Waverly Terrace
105	0196E	22-016776	1991/112	351 Baltimore Avenue
105	7096E	22-007149	1991/112	E/S Baltimore Avenue
105	0019	22-007246	647/088	410 Waverly Terrace
105	0022	22-005626	659/524	324 N. Waverly Terrace
105	0023	22-008927	659/524	320-322 N. Waverly Terrace
105	0021	22-003496	629/550	RR 324 N. Waverly Terrace
105	195	22-003011	710/659	347 Baltimore Avenue
105	0057F	23-011719	2052/418	474-476 Baltimore Avenue
105	0031F	23-011433	1768/134	470 Baltimore Avenue
105	0063F	23-005999	721/804	458-460 Baltimore Avenue
105	0030F	23-014130	2054/494	472 Baltimore Avenue
105	0061F	23-012774	721/815	464 Baltimore Avenue
105	0056F	23-014114	1938/426	478-480 Baltimore Avenue
105	0064F	23-011999	2118/278	454-456 Baltimore Avenue
105	0062F	23-004178	721/804	462 Baltimore Avenue
105	0197	22-007157	1991/112	E/S Baltimore Avenue
105	7098	22-016784	1991/112	.08A E/S Baltimore Avenue
105	0198	22-007173	1991/112	E/S Baltimore Avenue

APPROVED JUN 21 2016

105	0199	22-007130	1991/112	RR 351 Baltimore Avenue
105	0200	22-007181	1991/112	427 Baltimore Avenue

WHEREAS, the Parcels were declared to be surplus property under the terms of Order No. 25,978 passed by the Mayor and City Council on May 17, 2016;

WHEREAS, the Parcels are unimproved;

WHEREAS, Cumberland Neighborhood Housing Services, Inc. ("CNHS") has offered to take title to the Parcels and assume all responsibilities of ownership, including maintaining the grounds thereof;

WHEREAS, the Parcels have little potential for development;

WHEREAS, should the Mayor and City Council desire to make use of any or all of the Parcels, the deed effecting their conveyance to CNHS (see Exhibit A attached hereto) affords the City the right to purchase any or all of them from CNHS for their tax assessed value; and

WHEREAS, the Mayor and City Council of Cumberland deem the conveyance of the Parcels to CNHS to be in the City's best interests.

NOW, THEREFORE

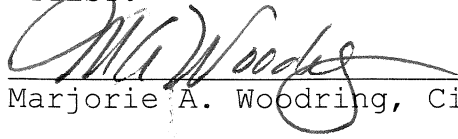
SECTION 1: BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF CUMBERLAND, MARYLAND, that the City Administrator be and he is hereby authorized to execute the Deed attached hereto as Exhibit A in order to effect the conveyance of the Parcels to CNHS for zero dollars (\$0.00);

SECTION 2: AND BE IT FURTHER ORDAINED, that this Ordinance shall take effect from the date of its passage.

Passed this **21st** day of **June**, 2016.


Brian K. Grim, Mayor

ATTEST:


Marjorie A. Woodring, City Clerk

1st reading: June 7, 2016
2nd and 3rd readings: June 21, 2016
Passed 4-0

EXHIBIT A

NO TITLE SEARCH PERFORMED

THIS QUITCLAIM DEED, made this ____ day of June, 2016, by and between **MAYOR AND CITY COUNCIL OF CUMBERLAND**, a Maryland municipal corporation, party of the first part, and **CUMBERLAND NEIGHBORHOOD HOUSING SERVICES, INC.**, a Maryland corporation, party of the second part.

WITNESSETH:

That for and in consideration of the sum of Ten Dollars (\$10.00) cash in hand paid and for other good and valuable considerations, the receipt of all of which is hereby acknowledged, the party of the first part does hereby quitclaim unto the party of the second part, its successors and assigns, all of the party of the first part's right, title, interest and estate in and to the following-described parcels of real property lying and being in the City of Cumberland, Allegany County, Maryland which are listed below and described as follows, to wit:

Map	Parcel	Tax ID #	Liber / Folio	Description
105	0020	22-007254	640/471	400-402 Waverly Terrace
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105	0198	22-007173	1991/112	E/S Baltimore Avenue
105	0199	22-007130	1991/112	RR 351 Baltimore Avenue
105	0200	22-007181	1991/112	427 Baltimore Avenue

TOGETHER with the buildings and improvements thereon, and the rights, roads, ways, waters, privileges and appurtenances thereunto belonging or in anywise appertaining.

TO HAVE AND TO HOLD the above-described property unto the party of the second part, its successors and assigns, in fee simple forever.

SUBJECT, HOWEVER, to the right of the party of the first part to purchase any or all of the aforesaid parcels from the party of the second part for their tax assessed value at any time. Further, before selling any or all of the aforesaid parcels to a third party, the party of the second part must first provide the party of the first part with a copy of the document constituting the contract of sale or otherwise setting forth the terms of the third party's offer and the party of the first part shall have thirty (30) days from the date it receives such documentation to purchase the parcel for its tax assessed value. In the event such documentation is provided and the party of the first part does not purchase the parcel, it shall provide the party of the second part with written confirmation of its decision not to proceed with the purchase.

WITNESS the hand and seal of the party of the first part the day and year first above written.

WITNESS/ATTEST:

**MAYOR AND CITY COUNCIL
OF CUMBERLAND**

Marjorie A. Woodring, City Clerk

By: _____ (SEAL)
**Jeffrey D. Rhodes,
City Administrator**

**STATE OF MARYLAND,
ALLEGANY COUNTY, TO WIT:**

I HEREBY CERTIFY, that on this ____ day of _____, 2015, before me, the subscriber, a Notary Public of the State and County aforesaid, personally appeared **Jeffrey D. Rhodes**, known to me or satisfactorily identified to be the person whose name is subscribed to the within instrument, the City Administrator of Mayor and City Council of Cumberland, a municipal corporation of the State of Maryland, and acknowledged the foregoing to be the act and deed of the said Mayor and City Council of Cumberland; and at the same time made oath he is duly authorized by it to make this acknowledgment; and he further certified under the penalties of perjury that the actual consideration for the foregoing conveyance is \$0.00. He further made oath in due form of law that this transaction is not subject to the provisions of Section 10-912 of the Tax General Article of the Maryland Annotated Code as the grantor is a resident entity of the State of Maryland.

WITNESS my hand and Notarial Seal.

NOTARY PUBLIC

My Commission Expires: _____

I HEREBY CERTIFY that the within and foregoing document was prepared by, or under the supervision of, the undersigned, a Maryland attorney, and that no title search was performed in connection with its preparation.

MICHAEL SCOTT COHEN